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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 26, 2002

APPLICATION OF

ADELPHIA BUSINESS SOLUTIONS
INVESTMENT EAST, LLC

CASE NO. PUC-2002-00012

For certificates of public
convenience and necessity to
provide local exchange and
interexchange telecommunications
services and interim operating
authority

ORDER DISMISSING CASE

On January 31, 2002, Adelphia Business Solutions Investment East, LLC ("ABS East" or the "Applicant"), filed an application for certificates of public convenience and necessity ("certificates") with the State Corporation Commission ("Commission") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia. The Applicant also requested authority to price its interexchange telecommunications services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia and requested interim authority to provide the above-referenced telecommunications services.

On February 27, 2002, the Commission entered an Order for Notice and Comment and Granting Interim Authority on ABS East's application, directing the Applicant to publish notice of its

application, permitting interested parties to file comments and/or requests for hearing on the application, and directing the Staff to analyze the reasonableness of the application and file a Staff Report.

On April 25, 2002, ABS East filed a motion for leave to withdraw its application. In its motion, ABS states that it filed the application seeking the certificates in order to have transferred to it certain assets of an affiliated entity presently providing such services in the Commonwealth. The contemplated asset transfer, permission for which was sought in Case No. PUA-2001-00080, would have required ABS East to become certificated as a local and interexchange telecommunications services provider. The purpose of the proposed intra-company transaction, wherein ABS East would seek certification and acquire regulated assets located in Virginia, was to permit the ultimate corporate parents of ABS East to enter into a proposed financing transaction designed to strengthen the financial condition of these parent corporations and their affiliates.

According to ABS East, on or about March 27, 2002, its parent companies filed for and received Chapter 11 protection under federal bankruptcy laws in the U.S. Bankruptcy Court for the Southern District of New York. Under these altered circumstances, the contemplated financing transaction is

unlikely to occur, and ABS East's need for certification no longer exists.

NOW THE COMMISSION, having considered the motion, finds that ABS East's request to withdraw the application is reasonable and should be granted.

Accordingly, IT IS THEREFORE ORDERED THAT:

(1) ABS East's request to withdraw its application without prejudice is granted, and this case is hereby dismissed.

(2) There being nothing further to come before the Commission, this matter is dismissed from the docket, and the record developed herein shall be placed in the file for ended causes.